

Applicants: GINZBURG, Boris, et al.  
Serial No.: 10/673,205  
Filed: September 9, 2003  
Page 6

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APR 11 2007

### REMARKS

Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

#### Status Of Claims

Claims 4-5, and 18 have been canceled herein without prejudice or disclaimer. Claim 28 has been added. Accordingly, Claims 1-3, 6-17, 19-28 are pending in this application. Claims 1-3, 6, 8, 10-17, and 19-24 have been amended. It is respectfully submitted that no new matter has been added.

#### Remarks to Allowable Subject Matter

With respect to numbered paragraph 2 on page 11 of the Office Action, Applicants thank the Examiner for the allowance of Claims 25-27.

#### Claim Rejections

##### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty et al. (US Patent Publication Number 2002/0082010) in view of Hassan et al. (US Patent Publication Number 2003/0022670) and further in view of Dunn et al. (US Patent No. 6,163,683). Applicants respectfully traverse the rejection of Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty in view of Hassan and further in view of Dunn.

Amended Claims 1, 11, 19, and 22 include determining an identifier of a wireless device in a current area where a station is located, using the identifier to identify a plurality of channels with which the station has previously associated within the current area and scanning the plurality of channels according to a scanning order determined by an associative history of the plurality of channels. It is respectfully submitted that none of the Koorapaty reference, the Hassan reference, and the Dunn reference teach these features, nor does any combination of the three references.

Applicants: GINZBURG, Boris, et al.  
Serial No.: 10/673,205  
Filed: September 9, 2003  
Page 7

Koorapaty teaches "... power-up systems and methods are provided for a wireless terminal which uses multiple stages of decreasing search complexity in scanning radio channels for service when no service is available. ... higher priority radio frequency bands will be scanned more often than lower priority radio frequency bands." (Paragraph 0068). Thus, a priority ordering of channels may be created to facilitate scanning by the mobile terminal. However, Koorapaty does not teach or suggest that the mobile terminal has ever associated with these channels before. Furthermore, this ordering is not based on an associative history. In contrast, the priority ordering is based on whether the Service Provider is categorized as home, partner, favored, neutral or forbidden (Paragraphs 0040-0045).

Hassan teaches "... each SP is assigned a channel group containing a given number of ... RF channels ... each channel group is divided into sixteen so-called probability blocks. Each probability block within a channel group has a known probability weight that can be used by the mobile terminal 100 when scanning that channel group to prioritize its channel scanning." (Paragraph 0035). Thus, a priority ordering of the Service Providers may be created to facilitate scanning by the mobile terminal. However, Hassan does not teach or suggest that the mobile terminal has ever associated with these channels before. Furthermore, this ordering is not based on an associative history. In contrast, the priority ordering is based on whether the Service Provider is a Home SP, Partner SP, Favored SP, Neutral SP or Forbidden SP (Paragraphs 0020-0025).

Dunn teaches "An alternative method is to have cell towers of all virtual stations repeatedly broadcast all program frequencies or channels used by respective stations in local and neighboring cells, in a manner enabling receivers to store a set of program frequency or channel data for each virtual station operating in the area local to the receivers, so that the receivers are able to initiate reception of any station's program at any time and thereafter maintain continuity of reception automatically as cell boundaries are crossed." (Col. 6, Lines 21-29). Thus, a listing of all channels available in the area is sent to the receiver. However, there is no teaching in Dunn that the receiver has ever associated with these channels before.

Applicants: GINZBURG, Boris, et al.  
Serial No.: 10/673,205  
Filed: September 9, 2003  
Page 8

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APR 11 2007

Therefore, it is respectfully submitted that Koorapaty, Hassan, and Dunn do not teach using an identifier from a wireless device to identify a plurality of channels with which a station has previously associated and scanning the plurality of channels in an order according to an associative history associated therewith.

Thus, amended Claims 1, 11, 19 and 22 cannot be considered obvious in view of Koorapaty, Hassan, Dunn or any combination thereof. Therefore, it is respectfully submitted that amended Claims 1, 11, 19 and 22 are allowable.

Each of Claims 2-3, 6-10, 12-17, 20-21, 23-24, and 28 depends from one of amended independent Claims 1, 11, 19 and 22 and therefore includes all the limitations of one of these claims as well as further distinguishing features. Thus, claims 2-3, 6-10, 12-17, 20-21, 23-24, and 28 are likewise allowable. Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty et al. in view of Hassan et al and further in view of Dunn et al.

#### CONCLUSION

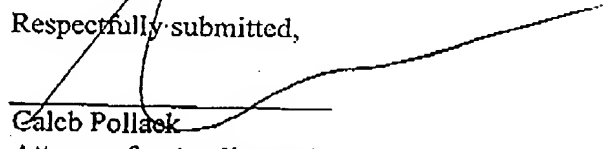
In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

Applicants: GINZBURG, Boris, et al.  
Serial No.: 10/673,205  
Filed: September 9, 2003  
Page 9

No fees are believed to be due in connection with this paper. However if any such fees are due, please change any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

  
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